

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

RUSSELL D. MORRIS,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

Civil No. 19-cv-666-JPG

Criminal No 16-cr-40028-JPG

MEMORANDUM AND ORDER

This matter comes before the Court on petitioner Russell D. Morris's Motion for Voluntary Dismissal (Doc. 2), which the Court construes as a notice of dismissal pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i). Rule 41(a)(1)(A)(i) allows a petitioner to dismiss an action without a court order at any time before the opposing party serves an answer or a motion for summary judgment. The respondent has not served an answer or motion for summary judgment in this case. Because the petitioner has an absolute right to dismiss this case at the present time, the Court finds that this action is **DISMISSED without prejudice** and **DIRECTS** the Clerk of Court to close this case.

IT IS SO ORDERED.

DATED: March 3, 2020

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE